IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 25159 of 2004

Between:

1 Toleti Venkata Swamy Naidu, S/o Narasimha Rao, R/o Rajavaram Village, Koyalagudem Mandal, West Godavari District.
2 P.V.S. Prasad, S/o Vidya Bhaskar,
R/o Timmapuram, Jangareddy Gudem Mandal, West Godavari District.
3 Pydeti Krishna Murthy, S/o Satyam,
R/o Pangidigudem, Jangareddy Gudem Mandal, West Godavari District.

..... PETITIONERS

AND

1 The Deputy Registrar, Co-operative Societies, Kovvur,
West Godavari District.
2 Large Sized Co-Co-operative Credit Society Ltd, rep. by its Secretary,Tirumalapuram, Jangareddygudem Mandal, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the orders of the 1st Respondent proceedings passed against the petitioners individually vide Rc.No. 1544/90/B, dated 10-11-2004 as arbitrary, illegal null and void and is against the principles of natural justice and norms of the public policy and contrary to the provisions of section 51 of the A.P. Societies Act, and to set aside the same and to issue a consequential direction to the 1st Respondent to grant to opportunity to the petitioners to cross examine examine the witnesses relied by the 1st Respondent and to strictly follow the orders passed by the Hon'ble Coop. Tribunal .

Counsel for the Petitioner:MR.VENKATESWARA RAO GUDAPATI

Counsel for the Respondent No.1: GP FOR COOPERATION

Counsel for the Respondent No.2: None appeared.

The Court at the stage of admission made the following :

ORDER:

This writ petition is filed aggrieved by the order passed by the 1st respondent dated 10-11-2004 under Section 60(1) of the A.P.Cooperative Societies Act.

Since an efficacious alternative remedy is available under the A.P. Cooperative Societies Act against the said order, without exhausting the remedy, the petitioners cannot maintain this writ petition.

Accordingly granting leave and liberty to the petitioners to avail alternative remedy, the writ petition is disposed of. No costs.

31-12-2004

Stp

To

1 The Deputy Registrar, Co-operative Societies, Kovvur,
West Godavari District.
2 The Secretary, Large Sized Co-Co-operative Credit Society Ltd, Tirumalapuram, Jangareddygudem Mandal, West Godavari District.

3.2CCs to G.P. for Cooperation,A.P.High Court Buildings,Hyderabad.(OUT).

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